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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,540	06/19/2001	Odd N. Oddsen JR.	INNOFF 3.0-011	2641

530 7590 12/08/2004

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EXAMINER
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WOOD, KIMBERLY T

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 12/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/884,540

Applicant(s)

ODDSEN, ODD N.

Examiner

Kimberly T. Wood

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 November 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 45-49 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 13, 16, 17, 20, 23-26 and 28-44 is/are rejected.
- 7) ☒ Claim(s) 5, 7-12, 14, 15, 18, 19, 21, 22, 27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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This is an office action for serial number 09/884,540,  
entitled Configurable Mount For A Peripheral Device.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which  
forms the basis for all obviousness rejections set forth in this  
Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-4, 6, 13, 16, 17, 20, 23-26, 28, 29-44 rejected  
under 35 U.S.C. 103(a) as being unpatentable over Oddsen WIPO  
00/25640 in view of Zerbst 2,062,156 in view of Rasor 4,911,348  
in view of Anderson 2,628,051. Oddsen discloses a shaft holder,  
a first member with first and second flanges, a second member  
with third and fourth flanges, openings, threaded members,  
clamping plate, and a method of mounting these elements. Oddsen  
discloses all of the limitations of the claimed invention except  
for the pins, openings corresponding to the pins, and the third  
flange being shorter than said fourth flange. Zerbst teaches  
that it is known to have a pin (24) on one element (15) and a  
corresponding hole or opening in an attaching member (13) to

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receive the pin therefore preventing the element (15) from twisting relative to the attaching member (13). It would have been obvious to one having ordinary skill in the art at the time of the invention to have modified Oddsen to have included the pin to each of the second member third and/or fourth flanges and an opening to the first member first and/or second flanges for the purpose of holding and aligning and therefore preventing the twisting (page 2 line 70ff) of the first member to the second member. It would have been obvious to one having ordinary skill in the art at the time of the invention to have modified Oddsen in view of Zerbst to have included a pair pins to the third and fourth flanges of the second member and a pair of holes or openings to the first and second flange as taught by Rasor for the purpose of providing a better means of preventing rotation or twisting (column 4, lines 52ff) therefore resulting further stabilization of the members. It would have been obvious to one having ordinary skill in the art to have modified Oddsen in view of Zerbst and Rasor to have made the pins and holes of non-circular shape since such a modification is merely a change in shape and would not produce any unexpected results as supported by the applicant's own admission that the shape is critical as long as the members are not capable of twisting relative to one another (specification page 24ff). Anderson (figure 2) discloses

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a third flange (2) being shorter than said fourth flange (3). It would have been obvious to one having ordinary skill in the art to have modified Oddsen WIPO 00/25640 in view of Zerbst and Rasor to have included a third flange being shorter than the fourth flange as taught by Anderson for the purpose of allowing the clamp to secure to various types of ledges or attachment surfaces (see figures 1-3 as taught by Anderson).

#### ***Allowable Subject Matter***

Claim 45, 46, 47, 48 and 49 are allowed.

Claims 5, 7-12, 14, 15, 18, 19, 21, 22 and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

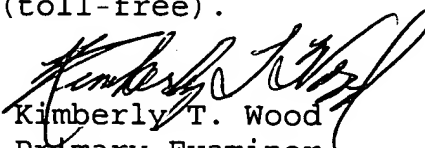
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### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly T. Wood whose telephone number is 703-308-0538. The examiner can normally be reached on Monday-Thursday 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie Braun can be reached on 703-308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Kimberly T. Wood  
Primary Examiner  
Art Unit 3632

December 6, 2004